



6.2 State Capability Assessment

Requirement: §201.4(c)(3) (iii): [The State mitigation strategy shall include] a discussion of the State's pre-and post-disaster hazard management policies, programs, and capabilities to mitigate the hazards in the area, including: An evaluation of State laws, regulations, policies, and programs related to hazard mitigation as well as to development in hazard-prone areas; [and] A discussion of State funding capabilities for hazard mitigation projects.

An overview of our hazard mitigation capabilities is provided below. This information was collected by ADEM which worked together with other State divisions and departments to compile and analyze the information. The overview addresses the way the State's existing capabilities can aid the mitigation effort, as well as areas where the needs to strengthen its capabilities.

Areas of discussion regarding the State Capability Assessment include:

- State Laws, Regulations, Policies, and Programs
- State Funding Capabilities
- Current/Potential Funding Sources
- Hazard Mitigation Activity in Arizona (new)

State Hazard Mitigation Laws, Regulations, Policies, and Programs

Arizona has a long history of aggressive mitigation. Beginning in 1978, long before FEMA's goal was reducing repetitive loss, the State had begun a program to acquire or relocate hundreds of homes out of the floodplains. Arizona was one of the first states to pass legislation requiring each county to have a flood control district and was also the first state to create a professional organization for floodplain managers.

Arizona's laws, regulations, policies and programs strengthen partnerships within the state to protect the health and safety of people and property. Arizona's emergency management community consists of thousands of dedicated personnel working together in a truly shared partnership between the federal, state and local jurisdictions and the private sector.

The Governor, executive leadership, and the State Legislature are keenly aware and supportive of the State's emergency management laws, regulations, policies and programs. The Governor has instituted councils, committees and a task force which address many of the pre-hazard, post-hazard and development issues facing Arizona communities.

The following information provides program data regarding the state's pre- and post-hazard management policies, programs and capabilities along with global summary evaluation at the end of the table.

"Pre-hazard," "Post-hazard," and/or "Affect Development"	Agency/Initiative	Program Information
Pre and Post-hazard	Arizona Department of Emergency and Military Affairs (DEMA), Arizona Division of Emergency Management (ADEM)	<p>Arizona Revised Statutes (ARS), Title 26, establishes the ADEM under the DEMA. Title 26 states the Division shall prepare for and coordinate those emergency management activities that may be required to reduce the impact of disaster on persons or property. ADEM is organized into four operational sections: Logistics, Preparedness, Operations, and Recovery. ADEM is also responsible for the administrative oversight of the Arizona Emergency Response Commission. The Mitigation Office falls under the Operations Section.</p> <p>The Mitigation Office is staffed by five employees which includes the State Hazard Mitigation Officer, Grant Program Manager, State and Local Hazard Mitigation Planning Program Manager, Programs and Projects Specialist (outreach and education), and an Administrative Assistant.</p> <p>The Operations Section coordinates emergency response and conducts hazard mitigation planning through the coordination and application of federal and state resources. It liaises with federal, state and local agencies to conduct a daily all-hazard threat assessment to ensure the emergency management community is not caught unaware.</p>



		<p>The Recovery Section manages the Public Assistance Program (406 Mitigation). The Recovery Section is extremely proactive in regards to 406 Mitigation on federal as well as state disasters. Each Disaster Recovery Coordinator has received training on hazard mitigation and works with the subgrantees to include any and all potential 406 Mitigation measures in the project worksheets. The Arizona Administrative Code (R8-2-314) states, "The applicant shall comply with any mitigation requirements specified by the Director for repair or replacement projects subject to repeated damage from flooding or other threats to life or property", which advocates for mitigation on Public Assistance projects. The Mitigation Office and the Recovery Section coordinate very closely before, during and following disasters. The Recovery Section includes 406 and 404 mitigation information in all of their Applicant Briefings and training sessions. If there is a mitigation project which does not meet the requirements of 406 Mitigation, the Recovery Section will notify the Mitigation Office so it may be looked at for Mitigation grant funding.</p> <p>The Governors Emergency Fund (GEF) receives \$4,000,000 annually from the State's General Fund to assist government agencies, local governments, and political subdivisions of the State of Arizona respond to and recover from state declared emergencies. This fund is also used on federal disaster declarations for the state's cost share. If there are funds available at the end of the state fiscal year, those monies may be used for mitigation projects that substantially lower the risk to people and property from natural and human-caused hazards. The Governor has the authority to declare an emergency within the state and allocate up to \$200,000 per declaration. The State Emergency Council (SEC) allocates from the GEF once the Governor's authorization level is maximized. The SEC can, also, allocate funds for mitigation projects and allocated funds in fiscal year 2004 for four mitigation projects. Three projects were sponsored by the Arizona State Land Department:</p> <ol style="list-style-type: none">1. Six Chippers and Chipper Trucks \$ 575,000.002. F.I.R.E. Mapping & Assessment Project \$ 225,000.00 (Fuels, Information, Restoration and Education)3. Fuels Treatment on State Lands \$670,279.01 <p>One project was requested by ADEM:</p> <ol style="list-style-type: none">4. Local Mitigation Plans, State's Cost Share \$165,900.00 <p>The Mitigation Office was able to use \$137,855 of the \$165,900 that was obligated from the GEF as a match for the Pre-Disaster Mitigation Planning Grant in 2004. The federal and state shares were used to assist local jurisdictions with developing local hazard mitigation plans.</p> <p>The first, three projects could be considered post-hazard, as the forest is in poor health and these projects were created in trying to mitigate the potential wildfire threat.</p> <p>Since 2004, no funds have been allocated to mitigation projects from the GEF due to the number of declared disasters both state and federal.</p> <p>The Preparedness Section is responsible for the State of Arizona Emergency Response and Recovery Plan (SERPP) which addresses the consequences of any emergency, disaster or incident in which there is a need for state resources in providing prevention, preparedness, response and/or recovery assistance activities. It is applicable to natural hazards and human-caused incidents. The Recovery and Mitigation Annex within the SERPP was consolidated and has been completely revised in mid-2007 as part of ESF #14.</p> <p>The Arizona State Emergency Response Commission (AZSERC) oversees 15 Local Emergency Planning Committees and supports community, industry and government and academia in: planning, release and incident reporting, data management guidance for inventory reporting, public disclosure about hazardous chemicals and development of training and outreach programs. Also provides consultative services,</p>
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		<p>workshops and coordinates development and review of plans and programs for local planning committees.</p> <p>The Governor's Council on 2-1-1, created by Governor Napolitano, has developed and implemented a statewide, web-enabled database system where the public can access community, social service and homeland security information and referrals. This service provides information on disaster response; up to date information regarding disasters and their threats; disaster relief locations, organizations and services; and volunteer opportunities. Additionally, an AZ 2-1-1 call center has been implemented for those without computer access. Any brochures developed by the Mitigation Office will eventually be listed on the AZ 2-1-1 web site. This program is administered by ADEM.</p>
Pre, Post-hazard, and Affects Development	Arizona Department of Water Resources (ADWR)	<p>The Director of the Arizona Department of Water Resources (ADWR) has a vested authority in administering of surface water, its appropriation and distribution, and of groundwater to the extent provided by this Title 26 of the Arizona Revised Statutes, except distribution of water reserved to decreed rights.</p> <p>Within ADWR, is the Office of Water Engineering which is comprised of two main sections: Dam Safety and Flood Mitigation.</p> <p>The Dam Safety Section's objective is to maximize the protection of the public against loss of life and property by reducing the likelihood of catastrophic failure of dams within the Department's jurisdiction. The Flood Mitigation Section, is responsible for assisting communities that participate in the National Flood Insurance Program (NFIP). The section administers the Community Assistance Program; assists in delineation of floodplains and developing flood control projects; sets State Standards for floodplain management; and coordinates the planning, design, and construction of flood warning systems to reduce the likelihood of loss of life by providing real-time flood information to the National Weather Service and other entities through the Arizona Flood Warning System. The section also works with local, state, and federal entities during times of flood emergencies.</p> <p>ADWR also implements the Statewide Drought Program which is coordinated into three groups to implement drought planning and mitigation around the state:</p> <p>Local Area Impact Assessment Groups - Local Area Impact Assessment Groups coordinate drought public awareness, provide impact assessment information to local & state leaders, and implement and initiate local mitigation or response options.</p> <p>Monitoring Technical Committee (MTC) - The MTC, created by the Governor's Drought Task Force, is responsible for gathering drought, climate, and weather data and disseminating that information to land managers, policy-makers, and the public. The MTC is crucial in providing early warning of changes in drought severity.</p> <p>Interagency Coordinating Group - Comprised of state, federal, tribal and non-governmental organizations, this group provides an integral mechanism to coordinate drought planning and management on lands within AZ.</p> <p>The Statewide Drought Program is also implementing new drought planning requirements for water providers: Community Water Systems Information - Community water systems are now required to complete Annual Water Use Reports and System Water Plans. The reports and plans are intended to reduce community water systems' vulnerability to drought and ensure that water providers are prepared to respond to drought or water shortage conditions.</p> <p>Governor Napolitano established the Governor's Drought Task Force to address drought issues facing Arizonans. In October 2004, the Task Force finalized the Arizona Drought Preparedness Plan. The goals of the Plan were to identify the impacts of drought to the various sectors of water users, define sources of drought vulnerability, outline monitoring programs, and prepare response options and mitigation strategies to reduce drought impacts. ADWR's Statewide Drought Program and Statewide Conservation Office are tasked with coordinating implementation of the Plan.</p>



Development	Growing Smarter and Growing Smarter Plus Act	Through a partnership among the Arizona Legislature, interested citizens, and the Arizona Governor's Office, a comprehensive effort was undertaken to address growth-related issues that resulted in the passage of the Growing Smarter Act of 1998 and the Growing Smarter Plus Act of 2000. Taken together, the Growing Smarter legislation provides comprehensive land use planning and zoning reforms, including the acquisition of open space, and gives residents of Arizona cities, towns, and counties a number of tools to shape growth in their own communities, such as the right to vote on general plans and restrictions on how general and comprehensive plans can be amended. In 2001, the Growing Smarter Oversight Council was created by <u>Executive Order</u> to continue to address growth-related issues and evaluate the effectiveness of the <u>Growing Smarter and Growing Smarter Plus Acts</u> . The Oversight Council consists of <u>25 appointed members</u> representing a variety of private and public interests who are charged with the following tasks: monitoring the implementation of Growing Smarter and Growing Smarter Plus Acts; identifying obstacles to implementation and suggesting refinements to facilitate implementation; developing a method for measuring the effectiveness of the Acts; determining how compliance with the Acts should be addressed and suggesting improvements to the Acts; reporting annually to the Legislature, Governor's Office, and the citizens of Arizona.
Pre and Post-hazard	Arizona Department of Administration, Risk Management Section	<p>The focus of the Arizona Department of Administration, Risk Management Section as it relates to mitigation is to protect the State's assets from loss. Risk Management was established in 1976 to provide insurance coverage to state agencies and employees for property, liability and workers' compensation losses in accordance with the statutory provisions found in A.R.S Section 41-621 through Section 41-625.</p> <p>Risk Management has the responsibility for making and carrying out decisions that will minimize the adverse effects of accidental losses that involve state government assets. In order for Risk Management to fulfill the responsibility of preventing or reducing the potential severity of losses, it is essential to identify the type of assets exposed to loss; the perils or hazards that could cause loss; the state agency that could suffer the loss; and the potential financial consequence of the loss on the agency's operations.</p> <p>Insurance: A.R.S. Section 41-621 through Section 41-625 provide for insurance or self-insurance of the following: all state-owned buildings, including those of the three state universities; all property owned by the state; all officers, agents and employees of the State against liability for acts or omissions of any nature while acting in authorized governmental or proprietary capacities, except as prescribed by statute; workers' compensation injuries of state employees; and environmental damage and health threats associated with state-owned/operated property and facilities.</p> <p>A.A.C., Title 2, Chapter 10 of the Administrative Code supplements the statutes and provides guidelines for coverage and claims procedures, loss prevention programs, purchase of insurance, environmental losses, and the Provider Indemnity Program.</p> <p>Risk Managements responsibilities for insurance and self insurance include: evaluation of risk financing alternatives; procurement of commercial insurance when appropriate; and allocation of costs for property, liability and worker's compensation among agencies.</p>
Pre and Post-hazard	Arizona Department of Fire, Building and Life Safety, State Fire Marshal	This office was established within the Department of Building and Fire Safety to promote public health and safety and to reduce hazards to life and property. The State Fire Marshall's Office performs its duties by performing inspections, fire investigations, providing public education by conducting workshops and by adopting fire protection codes. This office is not to be confused with the ASDL which implements the FireWise Program and Fire Management Assistance Grant.
Development	Greater Arizona Development	Assist Arizona communities and tribal governments with the development of public



	Authority (GADA)	infrastructure projects that enhance community and economic development.
Pre-hazard	Arizona Floodplain Manager's Association	Promotes the common interest in flood hazard mitigation, enhance cooperation between private, local, state and federal agencies and encourage and ensure new approaches to managing the State's floodplains.
Pre, Post-hazard and affects development	Arizona State Land Department	<p>The Arizona State Land Department (ASLD) was established to manage state trust lands and resources while enhancing the value and optimizing the economic return. The ASLD also manages and provides support for resource conservation programs for the well-being of the public and the state's natural environment.</p> <p>The ASLD has several Divisions that have some type of mitigation responsibilities. <u>The Natural Resources Division</u> administers all natural resource-related leases, Natural Resource Conservation Districts and any natural resource issue affecting state trust land.</p> <p><u>Real Estate Division</u> provides support for state lands in sales, commercial leasing and rights of way. The Real Estate Division offers for lease and sale properties within the growth path of major metropolitan areas. In addition, they also prepares for state land disposition through planning and engineering studies.</p> <p><u>The Forestry Division</u> provides for the prevention and suppression of wildfires on state and private lands, located outside incorporated municipalities, through the use of various cooperative agreements. The Forestry Division also maintains in-house overhead and firefighting capabilities through the qualifications of its own employees. They provide technical, educational, and financial assistance to rural communities and private land owners in management of their forested lands. The Forestry Division also manages the FireWise Program which promotes fire-safe landscaping and construction practices to help reduce the loss of property from wildfire. The FireWise Program minimizes the negative effects of wildfire on public life, safety, and property by promoting fire-safe landscaping and construction practices to help reduce the loss of property from wildfire.</p> <p>The Fire Management Assistance Program (FMAG) was authorized by the Disaster Mitigation Act of 2000 and provides for the mitigation, management and control of fires that threaten such destruction as would constitute a major disaster and is administered by the ASLD.</p> <p>Within the authority of the ASLD Forest Stewardship Plans are written and implemented by natural resource professionals to guide landowners in reducing the risk of wildfire, insects and disease, protecting soil and water quality, providing timber and other forest products, improving fish and wildlife habitat, and maintaining the landscape's natural beauty.</p>
Pre-hazard	Governor's Forest Health Councils	The Governor's Forest Health Councils were formed in 2003. Recognizing the need for a more holistic approach to forest health management and community protection, Governor Napolitano held the First Annual Conference on Forest Health. This event included dedicated individuals from all walks of life who shared a common goal of protecting our state's forests. In April of 2003, the results of the conference were released in the Governor Forest Health and Safety Action Plan for Arizona. The action plan established the Forest Health Advisory Council and the Governor's Forest Health Oversight Council. The mission of the Forest Health Advisory Council is to develop guiding principles for the design and implementation of restoration-based fire fuel reduction and forest health restoration projects based on the best available science; to monitor and evaluate results of existing restoration projects in Arizona, to identify new strategies and opportunities for demonstrating restoration-based fuel reduction and other forest health restoration techniques; to identify the resources to fund demonstration projects; and to evaluate existing and potential sustainable economic uses for small diameter trees that are compatible with long-term protection of forest health and economic development goals.



Pre-hazard	AZ Water Banking Authority (AWBA)	Stores unused AZ Colorado River water to meet future needs for: Assuring adequate supply to municipal and industrial users in times of shortages or disruptions of the CAP system; Meeting the management plan objectives of the AZ Groundwater Code; Assisting in the settlement of Indian water rights claims; and Exchanging water to assist Colorado River communities.
Post-hazard	Arizona Fire Chiefs Association (AFCA)	The Arizona Fire Chiefs Association through cooperation with the ADEM, ASLD, the Arizona Fire District Association, and the professional fire Fighters of Arizona developed the Arizona Fire Service Mutual Aid Plan to provide immediate response resources for all-risk emergencies. The purpose of the plan is, in the absence of, or in support of a declaration of emergency, provide for the systematic mobilization, organization, and operation of necessary fire and rescue resources within the state and its political sub-divisions in mitigating the effects of disasters, whether natural or human-caused. The Arizona Fire Service Mutual Aid Plan is also included in the Arizona's State Emergency Response and Recovery Plan.
Pre-hazard	Arizona Geological Survey (AZGS)	<p>Arizona Geological Survey (AZGS) is capable of providing geological hazard mapping for the state, including floods, earth fissures, landslides, earthquakes, and post-fire effects. They are charged with providing geological hazard information to the state, and we use a variety of outreach methods to disseminate the information. AZGS provides technical expertise to state and local jurisdictions regarding hazards, hazard assessments, and mitigation plans.</p> <p>AZGS can provide scientific expertise during a geologic disaster. We are building our geologic disaster response team to assist in such matters, and have appointed a liaison to staff the EOC during geologic disasters (or other events in which the geology is crucial).</p> <p>AZGS can determine the extent, magnitude, and recurrence interval of a geologic disaster, in addition to identifying possible cascading hazards. We partner with state and local agencies to assess the scene of the disaster for current and future implications of vulnerable areas (especially those that may have changed because of the disaster).</p>
Pre-hazard	Emergency Preparedness Oversight Committee	The Governor's Emergency Preparedness Oversight Committee (EPOC) serves to oversee and ensure coordination of the numerous federal, state and local homeland security and emergency management initiatives, programs and resources. The EPOC meets bi-monthly, is co-chaired by the Governor's Chief of Staff and the Director of the Arizona Department of Homeland Security. Membership includes key cabinet officials, local government and private sector stakeholders.

Evaluation Assessment for Various State Capabilities

A challenge the Mitigation Office has had over the years is not being able to provide enough education and outreach regarding the definition of mitigation along with grant program information. In late 2006, a Programs and Projects Specialist was hired to assist the Mitigation Office with education and outreach. Thus far, we have developed a brochure which contains information on the grant programs, potential mitigation actions for some of Arizona's top hazards, and also includes information for pets and special needs populations. The entire DEMA website is being re-designed and should be updated and on-line by December 2008. The Mitigation Office has already completed the design of its portion of the website. Mitigation's part will be a comprehensive website which will contain grant program information, downloadable forms, mitigation tips, and much more valuable information. Overall, our outreach will benefit emergency management agencies, potential applicants, local governments and citizens of Arizona because it will educate everyone on grant programs, potential mitigation measures and much more. The Mitigation Office will continue to apply for grants to assist us with future outreach and mitigation projects.

The Governor's Drought Task Force task force has determined that one of their challenges is a need for drought planning in fast-growing rural communities where water supplies are very limited and where the economic pillars of recreation, ranching, forestry and tourism are extremely sensitive to drought. This seems to be a sensitive issue and there needs to be flexibility to avoid a cookie-cutter approach statewide. The goal is to have a conservation plan that is tailored to each individual community.



The Governor's Forest Health Councils has stated that there is a need for human and financial resources to meet long-term restoration, community protection, and fire management goals. The Councils recognize that fires have the potential to burn at a very large scale as it has done in the past. Forest and fire management activities must be coordinated across jurisdictional boundaries. Financial and human resources must be allocated strategically, maximizing the effectiveness of all dollars spent. Also, public awareness must be built. These critical issues are being addressed in a *Statewide Strategy for Restoring Arizona's Forests*.

The various councils and committees that have been instituted by Governor Napolitano focus on developing strategies to overcoming the challenges Arizona faces. The councils and committees bring local, state and federal stakeholders together to develop a unified approach to resolve forest health, drought and growth related issues, plus much more. It is very positive step in the right direction for Arizona.

Although the Arizona Revised Statutes, Title 26, gives the Director of the Arizona Department of Water Resources the authority to fund flood control projects and flood warning projects, but both are currently unfunded. These funding shortcomings could be avoided if there was a specific revenue source instead of legislative appropriations.

Arizona Geological Survey's most significant challenge is related to lack of funding and relying on external sources to fund their activities.